APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,639	11/09/2001	Peter J. Osbourne	71150-774	6577

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EXAMINER
SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	10/037,639	OSBOURNE ET AL.	
	Examiner	Art Unit	
	Philip S. Scuderi	2153	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 May 2005</u>.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) ~~1-28~~ 15-28 is/are pending in the application.

    4a) Of the above claim(s) ~~1-14~~ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>15-28</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This Office action is in response to Applicant's communication filed May 26, 2005. Claims

1-14 are cancelled. Claims 15 and 17 are amended. Claims 18-28 are new claims.

Response to Arguments

2.   Applicant's arguments with respect to the rejection(s) of claim(s) 15 under 35 U.S.C. 103(a)

have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection has been made. Applicant's

amendments have not changed the scope of claim 15. Accordingly, this action is non-final.

Claim Objections

3.   Examiner has withdrawn the objections to the claims since Applicant's amendments have

overcome the objections.

Claim Rejections - 35 USC § 112

4.   Examiner has withdrawn the rejections under 35 U.S.C. 112 since Applicant's amendments

have overcome the rejections. However, the following rejections apply to the new claims.

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject
> matter which the applicant regards as his invention.

6.   Claims 18 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as the

invention.

7.   Claim 18 recites the limitations "a server <u>for</u> ..." and "at least one client computer system

<u>for</u> ..." in lines 2 and 3 respectively. The word "for" renders the claim indefinite because it is

unclear whether the following limitations are meant to further limit the claim or merely describe

intended use of the claimed invention. Examiner suggests "a server that receives ..." and "at least

one client computer system that transmits ...".

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a
> foreign country, before the invention thereof by the applicant for a patent.

9.   Claims 15-18, 20, and 22-28 are rejected under 35 U.S.C. 102(a) as being anticipated by

SOAP for Platform-Neutral Interoperability (Kevin Brown, 9/12/2000, hereinafter "Brown").

10.   <u>Regarding claim 15</u>, Brown discloses a method for handling requests using a computer, the

steps comprising:

o   receiving a request message in a first format [fig. 3 (1)];

o   translating the request message from the first format to a second format [fig. 3 (1, 3), the ROPE

     Proxy translates procedure calls from the Client App (caption of fig. 3 lines 3-5 (last page of the

     reference))] into XML (i.e. a second format) [p. 10 lines 3-6, SOAP is an XML format];

o   wrapping the translated message in a packet [fig. 3 (3)];

o   parsing the SOAP packet to determine the operation being called [fig. 3 (4)];

o calling the operation upon a server [fig. 3 (ROPE Engine), p. 10 lines 22-24];

o creating a SOAP response document from the response from the server [fig. 3 (7)];

o unwrapping the SOAP response document [caption of fig. 3 lines 7-8];

o converting the response from said second format to said first format [caption of fig. 3 lines 7-8]; and

o transmitting a response message in the first format [fig. 3 (8)].

11.   Regarding claim 16, Brown discloses the method applied to claim 15, further including the

step of verifying the format of the request message [the ROPE Proxy must parse (implicitly verify)

the request in order to convert the request and wrap it in a SOAP packet as shown in fig. 3].

12.   Regarding claim 17, Brown discloses the method applied to claim 15, wherein the step of

receiving a request message further includes receiving a request message in slash format:

o wherein the step of translating the request message further includes translating the request

message from slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise

slashes] to XML format [p. 10 lines 3-6, SOAP is an XML format];

o wherein the step of converting the response further includes converting the response from XML

format to slash format [caption of fig. 3 lines 7-8]; and

o wherein the step of transmitting a response message further includes transmitting a response

message in slash format [caption of fig. 3 lines 7-8].

13.   Regarding claim 18, Brown discloses a computer system for handling requests, comprising:

o a server for receiving commands and transmitting responses [fig. 3 (ROPE Engine)];

o at least one client computer system [fig. 3 (Client App)] for transmitting request messages and receiving response messages in a first format [p. 10 lines 3-6, caption of fig. 3];

o a translator [fig. 3 (ROPE Proxy)] which checks the request messages from the client computer system for protocol and format, and translates the request messages into a second format which is a protocol and format which is understood by the server [p. 10 lines 3-6];

o a processor [fig. 3 (IIS)] which receives the translated request messages from the translator in a second format [fig. 3 (3)], transforms the translated request messages into commands that can be understood by the server [fig. 3 (4)], calls information from the server [fig. 3 (arrow pointing from IIS to ROPE Engine)], receives responses from the server [fig. 3 (arrow pointing from ROPE Engine to IIS)], processes the responses from the server into processed response messages in the second format [fig. 3 (7)], and transmits the processed response messages to the translator in the second format [fig. 3 (7)];

o wherein the translator receives the processed response messages from the processor in the second format [fig. 3 (7)], translates the processed response messages into the first format [caption of fig. 3 lines 7-8], and transmits the translated response messages to the client computer system in the first format [fig. 3 (8)].

14.   Regarding claim 20, Brown discloses the system applied to claim 18, wherein the first format is a slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise slashes].

15.   Regarding claim 22, Brown discloses the system applied to claim 18, wherein the second format is via a SOAP packet [fig. 3 (3)].

16.   Regarding claim 23, Brown discloses the system applied to claim 22, wherein after the

translator translates the request messages, the translator wraps the request messages in SOAP

packets and transmits the SOAP packets to the processor [fig. 3 (3)].

17.   Regarding claim 24, Brown discloses the system applied to claim 22, wherein the processor

wraps response messages in SOAP packets and transmits the SOAP packets to the translator [fig. 3

(7)].

18.   Regarding claim 25, Brown discloses the system applied to claim 18, wherein the translator

translates request messages from slash format [p. 10 lines 3-6, messages are sent to a URL and URLs

comprise slashes] to XML format [p. 10 lines 3-6, SOAP is an XML format].

19.   Regarding claim 26, Brown discloses the system applied to claim 18, wherein the translator

receives processed response messages from the processor and translates the processed response

messages from XML format to slash format [caption of fig. 3 lines 7-8].

20.   Regarding claim 27, Brown discloses the system applied to claim 25, wherein after the

translator translates the request messages, the translator wraps the request messages in SOAP

packets and transmits the SOAP packets to the processor [fig. 3 (3)].

21.   Regarding claim 28, Brown discloses the system according to claim 26, wherein the

processor wraps processed response messages in SOAP packets and transmits the SOAP packets to

the translator [fig. 3 (7)].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art
> to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

23.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of

Software Magazine – Newsletter (10/11/2000, hereinafter "Software Magazine").   .

24.   <u>Regarding claim 19</u>, Brown discloses the system applied to claim 18. Brown does not

disclose that the system is a computer reservation system. Nonetheless, providing a computer

reservation system that supports SOAP was well known, as evidenced by Software Magazine.

25.   In a similar art, Software Magazine teaches a system for providing computerized reservation

systems [p. 2 lines 23-25] available over the Internet [p. 2 line 1] that support SOAP [p. 2 line 14].

Given the teachings of Software Magazine, it would have been obvious to one of ordinary skill in

the art to use the SOAP toolkit architecture (Brown fig. 3) to provide computerized reservation

services, thereby enabling companies to make their software assets available to business partners via

the Internet [Software Magazine p. 1 line 11 – p. 2 line 1].

26.   Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown.

27.   Regarding claim 21, Brown discloses the system applied to claim 20, wherein the request

messages are in slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise

slashes]. Brown does not expressly teach that the messages sent to URLs are transmitted using

sockets. Examiner takes Official Notice that it was well known in the art that requests comprising

URLs were often sent via TCP/IP which uses sockets (e.g. HTTP requests). It would have been

obvious to send the requests as HTTP requests because this was the most widely used method of

requesting a URL.

Conclusion

28.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

29.   *Components Online* has been cited in order to establish a date for the Brown reference

(*Components Online* p. 6, 9/12/2000) because Brown only discloses that the reference was available in

the Fall of 2000 (see the URL), which alone is not specific enough to establish that Brown is prior

art.

30.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner

can normally be reached on Monday-Friday 8am-5pm.

31.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization

where this application or proceeding is assigned is 703-872-9306.

32.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PSS

Dung C. Dinh
Primary Examiner